

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

In Re: DHARMESH VINODRAI MEHTA,  
RENU DHARMESH MEHTA,  
Address: 4119 Woodlark Dr., Annandale, VA 22003

Debtors.

Case No: 12-11061-BFK

WELLS FARGO BANK, N.A., SUCCESSOR BY  
REASON OF MERGER WITH WACHOVIA BANK,  
NATION ASSOCIATION,

Plaintiff,

Chapter 7

v.

DHARMESH VINODRAI MEHTA  
RENU DHARMESH MEHTA,  
H. JASON GOLD, Trustee,

Defendants.

NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY AND HEARING

Wells Fargo Bank, N.A., successor by reason of merger with Wachovia Bank, National Association, a creditor in this case, has filed papers with the Court to obtain relief from the provisions of the automatic stay of the Bankruptcy Code with regard to certain property more particularly described in those papers which are attached.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to grant this creditor relief from the provisions of the automatic stay of the Bankruptcy Code, or if you want the Court to consider your views on the Motion for Relief from the Automatic Stay, then on or before June 21, 2012, you or your attorney must:

File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rules 4001(a)-1(C) and 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

William C. Redden, Clerk  
U.S. Bankruptcy Court  
Alexandria Division  
200 South Washington Street  
Alexandria, VA 22314-5405

You must also mail a copy of any such response to:

Jason L. Hamlin, Esquire  
Melissa M. Watson Goode, Esquire  
Glasser and Glasser, P.L.C.  
Crown Center, Suite 600  
580 East Main Street  
Norfolk, Virginia 23510

**Attend the preliminary hearing scheduled to be held on June 27, 2012 at 9:30 a.m. in the Courtroom I, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314-5405.**

**If no timely response has been filed opposing the relief requested, the Court may grant the relief requested in the Motion for Relief from Stay.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion for Relief from Automatic Stay and may enter an Order granting that relief.

Date: June 7, 2012

Signature: /s/Melissa M. Watson Goode

Name: Jason L. Hamlin, VSB #46931  
Melissa M. Watson Goode, VSB #73516  
Glasser and Glasser, P.L.C.  
Crown Center, Suite 600  
580 East Main Street  
Norfolk, Virginia 23510

**CERTIFICATE OF SERVICE**

I hereby certify that on June 7, 2012, a true copy of the foregoing Notice of Motion for Relief from the Automatic Stay was submitted for electronic transmittal to Steven B. Ramsdell, Attorney for the Debtors, and to H. Jason Gold, Trustee, and was mailed, first class, postage prepaid to Dharmesh Vinodrai Mehta and Renu Dharmesh Mehta, Debtors, at 4119 Woodlark Dr., Annandale, VA 22003.

/s/Melissa M. Watson Goode

Jason L. Hamlin, VSB #46931  
Melissa M. Watson Goode, VSB #73516  
Glasser and Glasser, P.L.C.  
Crown Center, Suite 600  
580 East Main Street  
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EASTERN DISTRICT OF VIRGINIA  
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In Re:

DHARMESH VINODRAI MEHTA,  
RENU DHARMESH MEHTA,

Debtors.

Case No: 12-11061-BFK

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NATIONAL ASSOCIATION,

Plaintiff.

Chapter 7

v.

DHARMESH VINODRAI MEHTA,  
RENU DHARMESH MEHTA,  
H. JASON GOLD, Trustee,

Defendants.

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

**TO ALL DEFENDANTS:**

**Pursuant to Rule 4001(a)-1(C) of the Local Rules of the United States Bankruptcy Court of the Eastern District of Virginia, you have fourteen (14) days from June 07, 2012, the date of service of this Motion upon you, to file a written response thereto and you must file such response with the Clerk of the United States Bankruptcy Court, Alexandria Division, 200 South Washington Street, Alexandria, VA 22314-5405 and serve a copy of same upon the Plaintiff's attorneys, Jason L. Hamlin and/or Melissa M. Watson Goode, at Crown Center, Suite 600, 580 East Main Street, Norfolk, VA 23510.**

Jason L. Hamlin, VSB #46931  
Melissa M. Watson Goode, VSB #73516  
Glasser and Glasser, P.L.C.  
Crown Center, Suite 600  
580 East Main Street  
Norfolk, Virginia 23510  
(757) 625-6787

Attorneys for Wells Fargo Bank, N.A., successor by reason of merger with Wachovia Bank, National Association

**Glasser and Glasser, P.L.C.**  
Crown Center, Suite 600  
580 East Main Street  
Norfolk, Virginia 23510-2212

TO THE HONORABLE BRIAN F. KENNEY:

Your Plaintiff, Wells Fargo Bank, N.A., successor by reason of merger with Wachovia Bank, National Association, respectfully represents as follows:

1. That this is a core proceeding within the meaning of the Bankruptcy Code and Rules.
2. That on February 17, 2012, the above-named Debtors filed a Petition in this Court.
3. That H. Jason Gold was appointed Trustee of the property, has qualified and is now acting.
4. That at the time of the filing of the Debtors' Petition herein, the Debtors had an ownership interest in certain real property and improvements having a street address of 1043 Longview Lane, Culpepper, Virginia, more particularly described as follows:

ALL THAT CERTAIN PROPERTY SITUATED IN THE TOWN OF CULPEPPER, IN THE COUNTY OF C ULPEPPER AND STATE OF VIRGINIA AND BEING DESCRIBED IN A DEED DATED 12/15/2005 A ND RECORDED 12/16/2005 IN BOOK 050015846 AMONG THE LAND RECORDS OF THE COUNTY A ND STATE SET FORTH ABOVEAND REFERENCED AS FOLLOWS: LOT 459 PHASE 8 LAKE VIEW O F CULPEPPER SUBDIVISION IN PLAT BOOK 8 PAGE 153. PARCEL ID NUMBER: 4OU-8-459

5. That the Plaintiff is the holder of a Deed of Trust Note dated May 26, 2006, in the original principal amount of \$235,747.00 with interest thereon from said date at the rate of 6.87% per annum, secured by a Deed of Trust on said real property and improvements recorded in the Clerk's Office of the Circuit Court of the County of Culpepper, Virginia, on which there is an unpaid principal balance owing to the Plaintiff of \$227,399.23, exclusive of accruing interest and late charges. True copies of said Note and Deed of Trust are attached hereto and incorporated by reference as Exhibits "A" and "B", respectively.

6. That there is no equity in said real property and improvements for the Debtors' Bankruptcy estate based upon the valuation of said property established by the County of Culpepper tax assessor of \$141,500.00.

7. That the Debtors have defaulted in the payments due to the Plaintiff relative to the aforementioned Deed of Trust Note totaling the sum of \$31,462.72, inclusive of late charges and appraisal fees, exclusive of attorney's fees and costs incident to the filing and prosecution of this Motion. The Plaintiff reserves the right to specify any additional payment default or delinquency that may accrue between the filing date of this Motion and the time of any hearings scheduled with regard to same.

8. That the Debtors, upon information and belief, do not wish to retain possession of the aforesaid real property and, accordingly, have provided for the surrender of same in the Debtors' Statement of Intentions. That in order to institute state foreclosure proceedings relative to the aforesaid real property and improvements, the Plaintiff is required to be relieved from the provisions of the automatic stays of the Bankruptcy Code which presently prohibit such foreclosure.

9. That in the event the Plaintiff is granted relief from stay hereunder, the Plaintiff, its agents and/or representatives, requests that the Order granting said relief allow the Plaintiff, its successors and/or assigns, agents and/or representatives to send communications, as necessary, to the Debtors, including, but not limited to, notices required by applicable state law in connection with applicable State Court foreclosure or other proceedings incident to the aforesaid real property and improvements including any proceedings necessary to recover possession of same from the Debtors.

10. That the facts hereinabove alleged constitute cause for a grant of stay relief in favor

of the Plaintiff pursuant to the provisions of 11 U.S.C. Section 362(d)(1) and are further grounds for relief pursuant to the provisions of 11 U.S.C. Section 362(d)(2).

WHEREFORE, Plaintiff prays that it be granted relief from the provisions of the automatic stay of the Bankruptcy Code with regard to the above-described real property and improvements including any act necessary to recover possession of same from the Debtors and that the stay of such grant of relief imposed pursuant to the provisions of Rule 4001(a)(3) of the Bankruptcy Rules be waived.

WELLS FARGO BANK, N.A., SUCCESSOR BY  
REASON OF MERGER WITH WACHOVIA  
BANK, NATIONAL ASSOCIATION

By /s/Melissa M. Watson Goode  
Of Counsel

CERTIFICATE OF SERVICE

I hereby certify that on June 07, 2012, a true copy of the foregoing Motion for Relief from the Automatic Stay was submitted for electronic transmittal to Steven B. Ramsdell, Attorney for the Debtors, and to H. Jason Gold, Trustee, and was mailed, first class, postage prepaid to Dharmesh Vinodrai Mehta and Renu Dharmesh Mehta, Debtors, at 4119 Woodlark Dr., Annandale, VA 22003.

/s/Melissa M. Watson Goode  
Jason L. Hamlin, VSB #46931  
Melissa M. Watson Goode, VSB #73516  
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